

WORKERS COMPENSATION

POLICY STATEMENT:

All employees of HR Staff n Stuff are covered by Workers Compensation as required by Australian law. It is paid for entirely by HR Staff n Stuff and provides benefits for employees who suffer personal injury due to accidents arising out of their employment with HR Staff n Stuff. The reporting requirements and benefit levels are regulated by Worksafe Victoria.

PROCEDURES:

1. Mandatory Requirements

Workers Compensation is provided in accordance with HR Staff n Stuff Workers Compensation Insurance Policy and statutory obligation. In general, these are:

- a. Workers Compensation covers all employees during the time they are on the job.
- b. There is no waiting period as in other benefits.
- c. An injury or illness
- d. is considered job-related when it arises during the course of employment. Any job or activity that is engaged in for work purposes and is a contributing factor in the injury most likely falls under Workers Compensation.
- e. The activity that caused the injury also must be one which is required by the employer.
- f. A person undertaking work in another state is covered by the workers compensation insurance policy pertaining to the state where they usually work.
- g. The insurer for HR Staff n Stuff providing work cover insurance is Allianz.

2. Denial of Workers Compensation Benefits:

Injuries not covered by Workers Compensation include those where the employee:

- a. Was intoxicated by alcohol or drugs.
- b. Was in the process of committing a felony (and has been convicted).
- c. Was participating in a social or recreational activity off-duty which was not directly related to their work.
- d. Caused the injury intentionally or committed suicide.

- e. Was “horsing around” or fighting on the job.

The above is a summary of HR Staff n Stuff obligations and is not intended to override specific insurance policy details.

The insurance policy defines the benefits fully and the above is not intended to replace the policy.

3. Reporting Requirements

- a. Any employee suffering an injury or illness which is work-related is responsible for immediately reporting that illness or injury, no matter how minor, to the Director. If the Director is not available or present, the employee must report to another employee and contact the Director, who will take over the report as soon as she is available.
- b. You **must** report any workplace related injury or illness regardless of whether you decide to seek medical attention.
- c. Once the incident has been reported, the Director must complete the Accident or Illness Record of Injuries in conjunction with the employee (where possible).
- d. If any injury requires emergency medical care, it will be provided immediately.
- e. If the illness or injury is relatively serious or the employee requests so, HR Staff n Stuff will attempt to reach the person designated by the employee as the emergency contact from information shown on his or her employment records.
- f. The Director will question the employee as well as others who may have information concerning the cause and particulars surrounding the injury or illness, including if the employee was wearing the appropriate personal protective equipment and clothing (if required) and any other relevant information. A full investigation may be carried out depending on the nature of the injury or illness.
- g. To make a WorkSafe Injury Insurance claim, the employee must fill in a WorkSafe Worker's Injury Claim Form, which is available from the Worksafe Victoria website. The employee must complete a claim form if they need medical treatment or time off work due to their work-related illness or injury. A WorkSafe Injury Claim Form should be filled out regardless of the employees' original assessment of the injury, in the event that injury or illness requires further treatment over time. The employee should provide the Work Safe Injury Form to the Director who will arrange for HR Staff n Stuff to complete the Employer section on the form, and then lodge it with the appropriate insurer.
- h. Medical bills relating to a work-related injury or illness should be submitted to the Director for approval, who will then arrange payment. If the Workers Compensation claim is accepted, the employee will be reimbursed in the next pay cycle. In the event that the employee does not wish to make a Work Cover claim, the Director will determine approval for reimbursement of any medical or related costs incurred.

4. Request for Leave

- a. Any employee whose job-related injury or illness will prevent them from reporting to work within one week following the initial incident should contact the Director during the first week of the absence on a daily basis.
- b. Disability, Workers Compensation or Personal Leave may be granted for situations in which there is a medical practitioner's written statement that a leave of absence is required. If an employee can't do their normal job they will need to get a WorkSafe Certificate of Capacity from their doctor which is similar to a medical certificate, and provide it to the Director.
- c. The medical practitioner's statement must provide adequate details acceptable to HR Staff n Stuff regarding the nature of the injury or illness and the anticipated length of absence from work.
- d. HR Staff n Stuff may, at its discretion, require another medical opinion by an appointed medical practitioner at the company's expense. HR Staff n Stuff may also require the employees own medical practitioner to provide additional information to guide the business on acceptable modified duties or complete a return to work program report if requested.
- e. Absences due to work-related injury or illness will be charged to accrued personal leave first, then to accrued annual leave time for permanent employees, if the employee wishes. If a work safe injury claim is accepted, any use of accrued leave benefits will be reinstated. Should an employee utilise all personal leave prior to a decision being made by the insurer, the employee may be eligible to utilise any accrued annual leave. This will be at the discretion of the Director.
- f. Employees who have not lodged a Workcover claim but are unable to work due to a confirmed or non-disputed work-related injury or illness will be considered to be on a period of paid leave. This leave will not be deducted from any of their leave entitlements

5. Returning to Work

- a. Prior to returning to work, the employee must obtain a certificate of capacity which states the employee is fit to return to work. This certificate should clearly identify if the employee is fit to return to full hours and preinjury/illness duties or if they can only return in a reduced capacity. If an employee is only able to return to work in a reduced capacity, the certificate must clearly outline all duties that may and may not be performed.

This certificate can only be completed by the employees treating medical professional.

Where possible, HR Staff n Stuff will provide a list of preinjury duties to the employees' medical professional. It is expected that these duties are directly referred to in the certificate of capacity.

- b. Failure to obtain a certificate of capacity may delay company authorisation to return to work. If a certificate of capacity is not provided and delays an employees' return to work, the time not worked may be unpaid.
- c. At HR Staff n' Stuff's sole discretion a second opinion may be required from an independent medical professional at the company's expense to ensure the employee is safe to return to work without risk.

- d. If an employee is able to return to work in a reduced capacity HR Staff n Stuff may consult with the employee's medical professional to develop a safe return to work plan.

6. Safety and Accident Prevention

- a. The Safety & Security policies of HR Staff n Stuff are designed with the specific purpose of reducing, minimising and avoiding injury, suffering and time away from the job. It is a requirement that all employees comply with all OH&S policies to avoid injury wherever possible.

7. Questionable Liabilities

- a. If HR Staff n Stuff does deny a Workers Compensation claim the employee may contest the decision in accordance with the provisions of workers compensation laws.
- b. The Director is not obligated to make any commitments or statements pertaining to HR Staff n' Stuff's liability concerning an employee's injury or illness unless required to do so by law.
- c. Employees desiring information about the company's position on the liability claim will be informed only that HR Staff n Stuff is conducting an investigation.

8. Further Information

Further advice can be obtained from Worksafe Victoria:

WorkSafe Victoria

W: www.worksafe.vic.gov.au

P: 1800 136 089